

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

SHARON ROSE ZLATKIN, et al.,

Case No. 1:23-cv-12693

Plaintiffs,

Thomas L. Ludington
United States District Judge

v.

BUTMAN, TOWNSHIP OF, et al.,

Patricia T. Morris
United States Magistrate Judge

Defendants.

**ORDER GRANTING MOTION FOR NEW SUMMONS AND EXTENSION
OF TIME (ECF No. 39)**

Plaintiffs Sharon Rose Zlatkin and Peggy Zlatkin filed this lawsuit on October 24, 2023, without the assistance of counsel. (ECF No. 1). On March 5, 2024, Plaintiffs moved for a new summons and an extension of time to serve Robert E. Lee. (ECF No. 39). In support of their motion, Plaintiffs demonstrate their attempts to locate and serve defendant Robert E. Lee since the issuance of summons on October 24, 2023. (*Id.* at PageID.700–1, 710, 712). To date, they have been unable to serve Defendant Lee. However, Plaintiffs purport that Defendant Lee’s “Commander” recently contacted them and indicated he is willing to assist Plaintiffs with serving Defendant Lee. (*Id.* at PageID.700–1).

Federal Rule of Civil Procedure 4(m) states that if a defendant is not served

within 90 days after the complaint is filed, the Court must dismiss the defendant without prejudice unless good cause is shown to extend the time for service. Plaintiff has shown good cause to extend the time to serve Defendant Lee. Thus, the motion is **GRANTED**. A new summons will be issued, and Plaintiffs have an additional 90 days to complete service on Robert E. Lee beginning on the date of this Order.

IT IS ORDERED.

Date: March 22, 2024

S/ PATRICIA T. MORRIS

Patricia T. Morris

United States Magistrate Judge